

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

FAIR ISAAC CORPORATION,

Court File No. 16-cv-1054 (WMW/DTS)

Plaintiff,

v.

FEDERAL INSURANCE COMPANY,
an Indiana corporation, and ACE
AMERICAN INSURANCE COMPANY,
a Pennsylvania corporation,

**DECLARATION OF
TERRENCE J. FLEMING IN
OPPOSITION TO PLAINTIFF'S
MOTION TO EXCLUDE
TESTIMONY OF WILLIAM
MCCARTER**

Defendants.

I, Terrence J. Fleming, declare as follows:

1. I am an attorney at Fredrikson & Byron, P.A. and am one of the attorneys representing Defendants Federal Insurance Company ("Federal") and ACE American Insurance Company in this case.

2. Attached as **Exhibit 1** are excerpts from Randolph Bickley Whitener's deposition transcript, which deposition took place on June 27, 2019.

3. Attached as **Exhibit 2** is a copy of an April 2007 letter from Unitrin, one of Whitener's former employers, noting that "we deploy Blaze Decision System in our environment" (FICO0057765).

4. Attached as **Exhibit 3** are excerpts from William McCarter's deposition transcript, which deposition took place on June 5, 2019.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: August 26, 2019

s/ Terrence J. Fleming